

DECISION

**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

Halperin
29372

FILE: B-216306

DATE: September 21, 1984

MATTER OF: Technical Documentation, Inc.

DIGEST:

When protest is filed initially with contracting agency, subsequent protest filed with GAO more than 10 working days after protester learns of initial adverse agency action on protest is untimely.

Technical Documentation, Inc. (TDI), protests the evaluation of its proposal, which was excluded from the competitive range, and certain solicitation terms under request for proposals (RFP) N00140-83-R-0364 issued by the Naval Regional Contracting Center (Navy) in Philadelphia, Pennsylvania, for the preparation of technical manuals.

We dismiss the protest as untimely.

TDI's protest points were raised in an earlier protest letter to the Navy. In a letter dated July 26, 1984, the Navy denied TDI's protest. We received TDI's protest on September 5, 1984. Our Bid Protest Procedures require that, when a protest is initially filed with a contracting agency, any subsequent protest to our Office must be filed (received) within 10 working days of the protester's learning of initial adverse action on its protest by the agency. 4 C.F.R. § 21.2(a) (1983). Although in its protest TDI did not state when it received the agency's letter denying its protest, we generally estimate that it takes no more than 1 calendar week for regular mail to arrive. See King-Fisher Company - Reconsideration, B-205003.2, July 28, 1982, 82-2 C.P.D. ¶ 87. Since TDI did not file its protest here within the 10-day period provided for under our Bid Protest Procedures, it is dismissed. Crawford Technical Services, Inc., B-215407, June 20, 1984, 84-1 C.P.D. ¶ 653.

Harry R. Van Cleve
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Acting General Counsel

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